

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

PHARMMD SOLUTIONS, LLC,

Plaintiff,

v.

**DENISE KEHOE and
PERFORMRX, LLC,**

Defendants.

Case No.: 3-11-cv-00255

*ONMRK
Removal is
DENIED without
prejudice to renewal
of Supplemental proceedings
Juel*

*Will
USMD
9-2-11*

**EMERGENCY MOTION TO COMPEL DEFENDANT PERFORMRX'S
COMPLIANCE WITH MARCH 30, 2011
LIMITED EXPEDITED DISCOVERY ORDER**

Plaintiff PharmMD Solutions, LLC, through counsel, ("PharmMD") moves this Court to compel Defendant PerformRX, LLC to comply with the Court's March 30, 2011 Limited Expedited Discovery Order and asks the Court to grant relief that it deems appropriate.¹ In support of this Motion, PharmMD states as follows:

1. Prior to the Removal of the instant action from the Chancery Court of Davidson County Tennessee to this Court, Chancellor Russell T. Perkins, Davidson County Chancery Court, in response, in part, to Plaintiff's Motion for Expedited Discovery, issued an Order on March 11, 2011 ("Chancery Court's Order"), allowing limited discovery prior to a hearing on Plaintiff's Motion for Temporary Injunction.

¹ The most obvious relief is to require PerformRX to respond to PharmMD's interrogatories and requests for production of documents propounded on March 14, 2011, by the close of business on Friday, April 1, 2011, but if PerformRX has not started drafting these responses, it may be practically impossible for them to comply with such an order. Therefore, the Court may need to grant some other form of relief it deems appropriate under these circumstances.